

REMARKS

This amendment is in response to the Office Action dated March 27, 2007. In order to facilitate prosecution, claims 30, 31 and 40 are cancelled and claims 28, 34, 43 and 44 are amended without prejudice to the subject matter involved. Claims 28 – 29, 33 – 39 and 41 – 44 are in the application upon entry of this amendment; claims 33, 36, 38 and 39 stand withdrawn from consideration. Applicants reserve the right to pursue any cancelled or withdrawn subject matter in one or more continuing applications.

The Examiner is requested to enter and consider this Amendment even though presented after final rejection since the amendments narrow the scope of the claims, overcome the cited prior art, put the instant amended claims in condition for allowance, and require no additional search and little additional effort on the part of the Examiner.

At the outset, Applicants note that claim 35 has been incorrectly designated as being withdrawn from consideration. Accordingly, claims 28 – 29, 34 – 35, 37 and 41 – 44 are under examination herein.

Claims 28-31, 34, 37, and 40-42 (now 28 – 29, 34 – 35, 37 and 41 – 42) stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,465,756 to Mikami et al. Applicants respectfully traverse.

The claims have been amended in order to advance the prosecution. More specifically, Applicants note that Mikami et al. does not teach or suggest a capsule shell composed of a polymer resin made by polymerisation of a urea formaldehyde prepolymer or a process of preparing such a shell as is now specified by the claims.

In view of the foregoing, Applicants contend that the disclosure in Mikami et al. is inadequate to support a rejection grounded upon 35 USC § 102. Reconsideration and withdrawal thereof are earnestly requested.

Claims 28, 29, 34, and 40-43 (now 28 – 29, 34 – 35, 37 and 41 – 43) stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,925,595 to Seitz et al. Applicants respectfully traverse.

As noted above, the claims have been amended in order to advance the prosecution. More specifically, Applicants note that Seitz et al. does not teach or suggest a capsule shell composed of a polymer resin made by polymerisation of a urea formaldehyde prepolymer or a process of preparing such a shell as is now specified by the claims.

Accordingly, Applicants contend that the disclosure in Seitz et al. is inadequate to support a rejection grounded upon 35 U.S.C. § 102. Reconsideration and withdrawal thereof are earnestly requested.

Claim 44 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Mikami et al. Applicants respectfully traverse this rejection.

Specifically, Seitz et al. does not teach or suggest a microcapsule comprising an encapsulated material enclosed within a solid permeable shell of a polymer resin wherein the polymer resin is made by the polymerisation of a urea formaldehyde prepolymer as is now specified by the claims.

In view of the above comments, it is submitted that the present claims are neither anticipated nor obvious in view of the cited prior art. Reconsideration and withdrawal of the §§ 102 and 103 rejections of the claims are earnestly requested.

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In view of the above amendments and remarks, Applicants submit that the present claims are allowable over the cited art. Withdrawal of all rejections is respectfully requested, along with issuance of a Notice of Allowance. Applicants invite the Examiner to telephone the undersigned attorney of record if the Examiner feels that the call will be beneficial to advance prosecution of the application.

Respectfully submitted,

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